



May 10, 2006

Docket Clerk
Fruit & Vegetable Programs U.S.D.A. - AMS
1400 Independence Avenue, SW
Washington, DC 20250-0243

RE: Docket Number FV06-1290-1 PR

To Whom It May Concern:

The California Fig Advisory Board (CFAB), representing the dried fig industry in California, is submitting this written comment based on the above-mentioned proposed rule relating to the Specialty Crop Block Grant Program. The CFAB represents nearly 100 growers in California growing figs on approximately 10,000 acres. Collectively, these growers represent 100% of the commercial dried fig acreage in the nation.

Our organization does not tend to respond to Federal Register notices, but this particular docket has raised our ire that the dried fruit industry is not being fairly considered in the proposed rule. We do commend the AMS for proposing a regulation intended to increase the competitiveness of specialty crop agriculture in the United States. However, we would like to specifically comment on §1290.4(a) of the proposed regulation.

Section 1290.4(a) deals with the eligibility of projects under the program and specifically provides that priority be given to “fresh” specialty crop projects. We assume therefore that specialty crops that are dried, frozen or processed in any other way would not benefit from the proposed programs as compared with fresh specialty crops.

Based on this assumption, we are at a loss as to why this provision was included in the proposed rule given the statutory definition of specialty crops and its specific inclusion of all fruits and vegetables, tree nuts, dried fruits and nursery crops. Nowhere does the definition differentiate between “fresh” and other fruits and vegetables whether they are dried, frozen or in any other way processed. Moreover, the authorizing legislation, the Specialty Crop Competitiveness Act of 2004 (7 USC 1621) makes no such distinction nor confers any priority on “fresh” specialty crops. We are not clear why the AMS seeks to establish this “fresh” priority given the statutory definitions and the debate surrounding the Specialty Crops Competitiveness Act of 2004.

Based on the foregoing, we believe it is clear that creating a priority status for one type of specialty crop over another in a block grant program without a statutory directive to do so is not good policy. We therefore request this “fresh” priority be removed from any final rule that the Department seeks to promulgate.

Sincerely,

Richard Matoian,
Manager

California Fig Advisory Board

7395 North Palm Bluffs, Suite 106 Fresno, California 93711-5767 USA
Tel: 559 440 5400 Fax: 559-438-5405

www.californiafigs.com

e-mail: info@californiafigs.com

OPERATING UNDER THE AUTHORITY OF THE SECRETARY OF FOOD AND AGRICULTURE OF THE STATE OF CALIFORNIA